

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PENTAIR WATER TREATMENT (OH)
COMPANY (formerly known as
ESSEF CORPORATION) and
PENTAIR WATER POOL & SPA, INC.
(formerly known as PAC-FAB,
INC.) and PENTAIR WATER BELGIUM
BVBA (formerly known as STRUCTURAL
EUROPE N.V. formerly known as SFC),

Plaintiffs,

08 Civ. 3604 (BSJ)

-against-

FIDELITY & CASUALTY INSURANCE
COMPANY OF NEW YORK and
CNA INSURANCE COMPANIES,

Defendants.

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DECLARATION OF SERVICE

STATE OF NEW YORK)
)ss:
COUNTY OF NEW YORK)

ROBERT M. KAPLAN, under penalty of perjury, declares as follows:

1. I am an attorney at law, admitted to practice before this Court and a member of Ferber Chan Essner & Coller, LLP, attorneys for defendants.
2. On July 8, 2008, I electronically filed defendants' motion to dismiss the first amended complaint, supporting declarations and supporting memorandum of law with the Clerk of the District Court using the CM/ECF system, which sent notification of such filing to plaintiffs' counsel.

Dated: New York, New York
July 9, 2008

/s/Robert M. Kaplan
ROBERT M. KAPLAN